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Approved For Release 2005/06/29 : CIA-RDP77M00144R001100170016-8

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:	Deputy Director for Plans	EXTENSION	NO.	
			DATE	
TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
1. Mr. Warner Deputy General Counsel	9-26-72			1-2 FYI
2. LRH				
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26 September 1972

MEMORANDUM FOR: Mr. John S. Warner
Deputy General Counsel

SUBJECT: Proposed New Section 201 (d) for
CIARDS

Dear John:

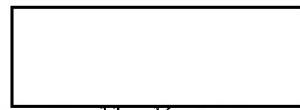
1. As you know, I heartily endorse this effort to amend CIARDS and I hope we can be successful at it.

2. I have suggested the insertion of "willfully" in the second line between "has" and violated." We are really concerned with willful violations and not accidental disclosure.

3. This proposed amendment would cover annuitants or participants under the CIA retirement system. I wonder what if anything we can do to cover those who are not participants in the CIA system and who have opted for or are only eligible for the Civil Service retirement system. Would the Director be powerless to take similar steps against the latter category? The Hiss Act would not cover it of course because its requirements are more rigid than the ones you have proposed for the new section of the CIARDS. Another question I have is whether, under the wording of your proposed amendment, if a participant or annuitant is denied payment under the CIA Act, he would still be free to seek alternative payment under the Civil Service system? I would assume not, since he is presumed to have made his choice of the CIA system earlier and must be considered bound by that choice.

4. Can inequity be claimed by one who is denied payment under the CIA Act in accordance with your amendment, on the grounds that other employees of the Agency under the Civil Service retirement system are not subject to this admittedly harsh provision and would be free to commit such a violation and still enjoy an annuity or the continuation of an annuity under the Civil Service retirement provision?

5. Having raised the above questions I can only repeat what I have told you and that is this is a very commendable effort and we should do all we can to make it as comprehensive as possible.



Thomas H. Karamessines
Deputy Director for Plans

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